

Time commenced - 6.00 pm

Time finished - 8.10 pm

PLANNING CONTROL COMMITTEE 24 AUGUST 2006

Present: Councillor Baxter – Chair
Councillors Bolton, Care, Carr, Samra, Richards.

34/06 Apologies for Absence

Apologies for absence were received from Councillors Chera, S Khan, Poulter, Travis and Wynn.

35/06 Late Items Introduced by the Chair

There were no late items.

36/06 Declarations of Interest

Councillor Care declared a personal and prejudicial interest in item number DER/606/964, as she was friends with the family that were objecting.

Councillor Carr declared a personal interest in item number DER/606/964, as he ???

37/06 Minutes of the Meeting held on 6 July 2006

The minutes of the meeting held on 6 July 2006 were approved as a correct record and signed by the Chair.

38/06 Enforcement Action: Monthly Update

A report of the Assistant Director – Regeneration was considered giving details of enforcement action authorised in the last year.

Resolved to note the report.

39/06 Applications dealt with under Buildings Regulations and Associated Legislation

Resolved to note the report of the Assistant Director – Regeneration setting out the summary of applications determined under Building Regulations and Associated Legislation during the period of 1 July 2006 and 31 July 2006.

40/06 Planning and Advertisement Applications

Resolved to note the applications for Planning Permission determined by the Assistant Director – Regeneration under delegated powers and detailed in Section E (Delegated) of the report and the applications detailed in Section B1 of the report be dealt with in accordance with the Assistant Director – Regeneration's, recommendations or as determined by the Committee as follows:

a) Applications Recommended for Approval or that no objections be raised by the Council subject to any conditions set out in the report and

b) Applications determined by the Committee

1. DER/1204/2355 Erection of garage. Land to the rear of 8 Etwall Road, Mickleover.

Mr Flanders in objection to the application and Mr Aspury on behalf of the applicant addressed the Committee.

Resolved to grant planning permission with conditions as set out in the report.

2. DER/1004/1908 Erection of bungalow and detached garage. Land adjacent the Orchards, 9 Etwall Road, Mickleover.

Mr Flanders on behalf of the applicant addressed the Committee.

Resolved to grant planning permission with conditions as set out in the report.

3. DER/206/330 Erection of ménage in connection with livery. Land south of riding school, Old Canal Farm, Sinfin Moor Lane, Chellaston.

Resolved:

- 1. to authorise the Assistant Director – Regeneration to negotiate the terms of a unilateral undertaking to achieve the revocation of a previous grant of planning permission for the erection of a ménage on the applicant's land and to authorise the Director of Corporate and Adult Social Services to enter into such an agreement.**
- 2. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement subject to conditions as set out in the report and an additional condition regarding hedge replacement.**

4. DER/606/937 Replacement windows to front elevation. 4 Maplebeck Court.

Resolved to grant planning permission.

5. DER/606/976 Erection of 13 dwelling houses. Site of 159/161 and land to the rear of 155, 157 and 163 Stenson Road and rear of 9-21 Ainsworth Drive.

Mr Aldred and Mrs Hicking in objection to the application, and Mr Pote on behalf of the applicant addressed the Committee.

Resolved:

1. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to provide mobility housing, improvements to public open space provision and or public realm and Highway Works, and to authorise the Director of Corporate and Adult Social Services to enter into such an agreement.
2. to authorise the Assistant Director – Regeneration to grant planning permission on conclusion of the above agreement subject to the conditions set out in the report, with an addition to condition three to secure retention of areas of existing trees and revision to the vehicle access details to provide dropped and taper kerbs.
3. should the Section 106 Agreement be not concluded within 13 weeks of the application's life, the Assistant Director – Regeneration to give consideration in consultation with the Chair, to refusal of the application.

6. DER/506/789 Erection of two storey building to comprise two flats. Land adjacent to 104/106 Drewry Lane.

Resolved to grant planning permission with conditions as set out in the report.

7. DER/606/939 and DER/606/941 Listed Building Consent: display of one externally illuminated hanging sign, two internally illuminated fascia signs, two CCTV cameras, a neon strip and 12 uplighters. Advert Consent: display of one illuminated hanging sign and two internally illuminated fascia signs. The Old Post Office, Victoria Street (Coyote Wild)

Resolved:

1. to grant Listed Building Consent and Advertisement Consent with conditions as set out in the report, with an additional condition relating to the Listed Building Consent to exclude details of the existing CCTV cameras and to require details of a different design.

- 2. to authorise enforcement action should the unauthorised alterations to the listed building not be removed within one month.**

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| 8. | DER/606/1085 | Erection of a dwelling house and creation of vehicle access. Land at the side of 68 Locko Road, Spondon. |
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Resolved to grant planning permission with conditions as set out in the report.

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| 9. | DER/606/1046 | Change of use of first floor and one ground floor room from residential to nursery. 127 Station Road, Mickleover. |
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Mrs Cope in objection to the application addressed the Committee.

Resolved to grant planning permission with conditions as set out in the report, with an additional condition relating to secure cycle parking and to alter condition 12 to include access to be determined as part of the reserved matters.

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| 10. | DER/606/1068 | Erection of dwelling house. 20 Medway Drive, Allestree. |
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Mr Barlow and Mr Starkey in objection to the application, and Mrs McDonagh on behalf of the applicant addressed the Committee.

Resolved to grant planning permission with conditions as set out in the report with an alteration to condition one to include access details to be submitted with the reserved matter.

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| 11. | DER/606/1060 | Erection of 14 apartments. Site of builders yard and part of former Parliament Street Mills, Parliament Street. |
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Reverend Sillis in objection to the application and Mrs Singh on behalf of the applicant addressed the Committee.

Resolved:

- 1. to authorise the Assistant Director – Regeneration to negotiate the terms of the a section 106 Agreement to provide public open space provision and mobility units, and to authorise the Director of Corporate and Adult Social Services to enter into such an agreement.**
- 2. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement with conditions as set out in the report.**
- 3. Should the Section 106 Agreement be not concluded within 13 weeks of the application's life, the Assistant Director – Regeneration to give consideration, in consultation with the Chair, to refusal of the**

application.

12. DER/406/594

Erection of 18 town houses and six apartments. 180 Ashbourne Road (Royal School for the Deaf.

Resolved:

1. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to provide lifetime homes, incidental public open space, transport corridor improvements and affordable housing, and to authorise the Director of Corporate and Adult Social Services to enter into such an agreement.
2. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above agreement, subject to conditions as set out in the report, with the alteration to condition three to refer to standard condition 20.
3. if the applicant fails to sign the 106 Agreement by the expiry of the 13 week target period, consideration be given, in consultation with the Chair, to the refusal of the application.

13. DER/206/244

Erection of 147 dwelling houses, garages and formation of public open space and ancillary works. Site of former Baseball Ground and adjoining land, Shaftesbury Crescent.

Mr Yarwood in objection to the application and Ms Holt on behalf of the applicant addressed the Committee.

Resolved:

1. to authorise the Assistant Director – Regeneration to negotiate the terms of a Section 106 Agreement to provide affordable housing, mobility housing, incidental public open space provision, major off-site open space provision, public art and possibly highways. Plus to authorise the Director of Corporate and Adult Social Services to enter into such an agreement.
2. to authorise the Assistant Director – Regeneration to grant planning permission on the conclusion of the above Agreement, subject to conditions as set out in the report.

Councillor Care left the meeting during consideration of the following matter.

14. DER/606/964

Erection of 16 apartments on plots 68 and 69. The Crest Development (Michael Goodall Homes) Pastures Hill, Littleover.

Resolved:

1. to authorise the Assistant Director – Regeneration to negotiate the terms

of a Section 106 Agreement to provide Contribution to public open space provision, highways works, affordable housing and the provision of two mobility units. Plus to authorise the Director of Corporate and Adult Social Services to enter into such an agreement.

2. to authorise the Assistant Director – Regeneration to grant planning permission with conditions as set out in the report, with an additional condition relating to the method statement on work to trees, subject to the receipt of satisfactory amended plans, upon the conclusion of the 106 Agreement
3. if the applicant fails to sign the 106 Agreement by the expiry of the 13 week target period, consideration be given, in consultation with the Chair, to the refusal of the application.

41/06 Special Item

15. Enforcement. “Entrance C” at Derby City General Hospital, Uttoxeter Road

Resolved to note the report.

42/06 Appeals

Code No	Proposal	Location	Decision
DER/705/1114	The Crown reduction of 25% of one purple plum tree protected by Tree Preservation Order.	131 Whitaker Road, Littleover.	Dismissed
DER/905/1517	To crown reduce two Horse Chestnut trees.	18 Park Lane.	Allowed
DER/805/1353	The felling of two Lime trees, protected by Tree Preservation Order	2 Old Vicarage Close, Littleover.	Dismissed

43/06 Prior Notifications

16. DER/706/1140 Installation of 15m high monopole with three antennae, one dish and equipment cabinet.
Land at rear of 29-31 Ashbourne Road.

Resolved to grant planning permission.

44/06 Consideration of Major Site Visits.

Resolved to visit the following sites before the 28 September 2006 meeting of the Planning Control Committee:

DER/806/1288 – Site of Elmhurst, Lonsdale Place.

DER/806/1299 – Land at former Village Community School and former 34 Kitchener Avenue.

MINUTES END